

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

B.P.J. by her next friend and mother, HEATHER JACKSON,

Plaintiff,

v.

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as State Superintendent, DORA STUTLER in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

Defendants,

and

LAINEY ARMISTEAD,

Defendant-Intervenor.

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin

DECLARATION OF KATELYN KANG

I, Katelyn Kang, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney at the law firm Cooley LLP and counsel of record for Plaintiff B.P.J., with her next friend and mother, Heather Jackson. The following is true of my own personal knowledge, and, if called as a witness, I would and could testify competently thereto.

2. I submit this declaration in support of Plaintiff's Opposition to Defendant WVSSAC's Motion *in Limine* to Exclude Evidence of Text and Email Communications and in support of Plaintiff's Opposition to Defendant State of West Virginia's Motion *in Limine* to Exclude Evidence of Disorders of Sexual Development.

3. Attached to this declaration are true and correct copies of the documents listed in the table below.

Exhibit	Description
1	Defendant WVSSAC's Responses to First Set of Requests for Production (November 22, 2021)
2	Rogol AD, Pieper LP. <i>The interconnected histories of endocrinology and eligibility in women's sports</i> . Horm Res Paediatr 2018; 90:213–20

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 29, 2022

/s/ Katelyn Kang
Katelyn Kang

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FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

B.P.J. by her next friend and mother, HEATHER JACKSON,

Plaintiff,

v.

WEST VIRGINIA STATE BOARD OF
EDUCATION, HARRISON COUNTY BOARD
OF EDUCATION, WEST VIRGINIA
SECONDARY SCHOOL ACTIVITIES
COMMISSION, W. CLAYTON BURCH in his
official capacity as State Superintendent, DORA
STUTLER in her official capacity as Harrison
County Superintendent, and THE STATE OF
WEST VIRGINIA,

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and

LAINY ARMISTEAD,

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CERTIFICATE OF SERVICE

I, Loree Stark, do hereby certify that on this 22nd day of June, 2022, I electronically filed a true and exact copy of the foregoing document with the Clerk of Court and all parties using the CM/ECF System.

/s/ Loree Stark

Loree Stark

West Virginia Bar No. 12936